

# **EXHIBIT H**

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UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

C.A. NO. 04-11193NG

SHAWN DRUMGOLD, :  
PLAINTIFF :

VS. :

TIMOTHY CALLAHAN, ET AL, :  
DEFENDANTS :

DEPOSITION of JOHN DALEY, a witness called on behalf of the Plaintiff, pursuant to the provisions of the Federal Rules of Civil Procedure, before Nancy M. Walsh, Certified Shorthand Reporter (#118593)/Registered Professional Reporter and Notary Public in and for the Commonwealth of Massachusetts, at the law office of Tommasino & Tommasino, Two Center Plaza, Boston, Massachusetts 02108, on Wednesday, November 15, 2006, commencing at 2:06 p.m.

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1 Q And how many detectives did you have in your unit in  
2 August of 1988?

3 A The best I can do is guess. I have no memory.

4 MR. DONNELLY: Don't guess.

5 Q Can you give me an approximation?

6 A Maybe 12. That really is a speculative figure.

7 Q How were they organized?

8 A They were organized in teams with a sergeant.

9 Q How many in each team?

10 A It would vary, but usually it was two with each team.

11 Q That would be a sergeant and a detective?

12 A A sergeant and a couple of detectives.

13 Q As the head of the Homicide Unit, were you responsible  
14 for arranging the training of the members of your unit?

15 A Yes.

16 Q And in 1988 and 1989, what kind of formal training was  
17 there for homicide detectives?

18 A There was very little -- there were no schools for  
19 homicide trainings. But there were a few people who did  
20 that stuff, and one was a lieutenant detective from New  
21 York City named Vernon -- Vernon Geberth or something  
22 like that. I'm not sure of the last name.

23 Q And did you have your detectives trained by that fellow?

24 A Yes.

1 Q And how did you go about arranging that?

2 A I brought him to Boston.

3 Q This Vernon Givens (phonetic)?

4 A Yes.

5 Q And how many occasions did you bring him to Boston?

6 A I brought him once when I was there, and my memory is  
7 that everybody in homicide went to it.

8 Q And did he run a seminar?

9 A I suppose you could call it a seminar.

10 Q How long a program did he run?

11 A Maybe three days. I can't tell you.

12 Q Was that held in Boston?

13 A It was at a local college, but I have no memory of where  
14 it was.

15 Q But in the local Boston area?

16 A Yes.

17 Q Do you remember when that was?

18 A All I can do is make an estimate of 1988.

19 Q All right. Did all of the members of the Homicide Unit  
20 go to that?

21 A To my knowledge, they did.

22 Q Did the fellow who ran that seminar give out any written  
23 materials?

24 A He had a book.

1 Q Do you remember the name of the book?

2 A I can't remember the name, but it was certainly about the  
3 homicide investigation. That was the whole -- that's  
4 what the book was about.

5 Q Did everybody who went to the seminar get a copy of the  
6 book?

7 A I hope they did, but I don't know.

8 Q Did you go to the seminar?

9 A I never went to the seminar.

10 Q Did you require that the Homicide Unit members go to the  
11 seminar?

12 A I did.

13 Q Do you remember any other formal homicide investigation  
14 training that was put on while you were head of the  
15 Homicide Unit?

16 A Yes, there were other schools. I went to other schools.

17 Q Do you remember where you went to other schools?

18 A One was in New York with the New York State Police, and  
19 that was up in Albany or -- it was upstate New York. I'm  
20 not sure.

21 Q Did you keep track anywhere in your records of the  
22 training that members of your unit had attended or taken?  
23 A Did I keep track of the records?

24 THE WITNESS: Can I speak to you for a

1 the performance of the members of your unit?

2 A No.

3 Q When decisions about promotions were being made, was your  
4 opinion solicited?

5 A No.

6 Q Was there any procedure whereby you would review the  
7 status of ongoing investigations?

8 A I would talk with all officers involved on every case, if  
9 that's what you're asking.

10 Q And that would just be part of your daily routine?

11 A Yes.

12 Q Was there any formal procedure whereby every certain  
13 period of time or certain particular times you would sit  
14 down on open cases and review them?

15 A There was no formal procedure, but we did it all the  
16 time.

17 Q Were there ever meetings, full unit meetings?

18 A Well, there weren't that many people there. And it was a  
19 small office, a small floor, and we gathered many times  
20 and talked over cases.

21 Q As part of your day-to-day --

22 A Yes.

23 Q -- processing?

24 A Yes.